

CENTRAL VALLEY FLOOD PROTECTION BOARD

California Natural Resources Agency – State of California

CVFPB Office Location
3310 El Camino Avenue, Suite 170
Sacramento, California 95821
Phone (916) 574-0609 – Fax (916) 574-0682
<http://www.cvfpb.ca.gov>

BOARD MEMBERS

Bill Edgar, President
Jane Dolan, Board Vice-President
and Secretary
Joe Countryman
Brian Johnson
Tim Ramirez
Mike Villines
Assembly Member Eduardo García
Ex Officio
State Senator Henry Stern, Ex Officio

Leslie Gallagher
Executive Officer

Kanwarjit (Jit) Dua
Board Counsel

AGENDA

CENTRAL VALLEY FLOOD PROTECTION BOARD MEETING

May 22, 2020 – 9:00 a.m.

Virtual Meeting

Due to the COVID-19 outbreak we ask that the public attend the meeting virtually and view the webcast of this meeting via the link provided on the event page.

NOTE: The Board will consider timed items as close as possible to the listed time, but not before the time specified. Untimed items may be considered in a different order upon determination by the Board President. All items appearing on this agenda may be subject to Board action, whether or not expressly listed as an action item.

Members of the public shall be provided an opportunity to address the Board on any agenda item except closed session items. Comments made during the public comment period should be limited to matters within the Board's jurisdiction. Reasonable time limits may be established for public comments (Government Code Section 11125.7).

Background for agenda items is available on the Board website at www.cvfpb.ca.gov

Anyone may request a printed copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If reasonable accommodation due to a disability or language assistance is needed, please contact the Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.

PUBLIC COMMENTS FOR VIRTUAL BOARD MEETINGS:

These instructions outline how members of the public can access the virtual meeting and provide public comment. You can join the meeting from a desktop computer, laptop, mobile device, or telephone.

How to join the meeting by webinar:

- a. Go to the Central Valley Flood Protection Board website
- b. Navigate to the "Meetings" page
- c. Identify the current meeting, and click on the link to the meeting webcast:
<https://atteetrial1.webex.com/atteetrial1/j.php?MTID=m2a4f60c09e6c7e63c18980774eb178e0>
- d. We recommend that you test out your device and internet connection well before attempting to join the meeting
- e. You will automatically be muted when joining as an attendee

How to join the meeting by telephone:

- a. Dial 1-844-531-0749
- b. Enter passcode: 714 061 136
- c. Please press mute

How to provide public comment:

Members of the public who wish to provide public comment on a particular agenda item are encouraged to submit those comments prior to the meeting by emailing the Board Clerk at Ryan.Jones@CVFlood.ca.gov. In the email subject line, indicate the meeting date and agenda item number. You can find the agenda item number below. In the body of the email, please include your name and who you represent (e.g., self, another person, an organization). Comments received prior to the meeting will be provided to the Board Members. Please indicate whether you wish to have your comment read out loud, into the record during the meeting.

During the meeting, members of the public may provide comments on a particular matter (at or before the time the item is called) by emailing the Clerk at Ryan.Jones@CVFlood.ca.gov. In the email subject line, include the words "public comment" and the agenda item number. In the body of the email, please include your name and who you represent (e.g., self, another person, an organization). Comments received at or before the time the item is called will be read aloud during the meeting. All written materials received by the Board in advance of or during the meeting are part of the public record and are kept by the Board.

For those members of the public who choose to participate by phone, an opportunity for comment on each item will be given during the Board meeting. Please unmute yourself before providing your comments and mute yourself after concluding your comments. A speaker's time allotment is generally 3 minutes but is ultimately at the discretion of the Board.

Background for agenda items is available electronically. Please email the Clerk at Ryan.Jones@CVFlood.ca.gov to request an electronic copy of any agenda item. Anyone may request a printed copy of background or other material on an agenda item that has been distributed to the Members of the Board. A fee covering the cost of the provision of such materials may be charged. If reasonable accommodation due to a disability or language assistance is needed, please contact the Office of Work Force Equality at (323) 848-9801 at least one week prior to the meeting.

For technical support during the meeting, please send your question to Questions@CVFlood.ca.gov.

1. WELCOME, INTRODUCTIONS, AND ANNOUNCEMENTS

2. ROLL CALL/ESTABLISH A QUORUM (Water Code § 8560)

3. APPROVAL OF MINUTES (Action Item)

- March 27, 2020

4. REVIEW OF AGENDA

5. CONSENT ITEMS (Action Item)

A. Permit No. 19318 – U.S. Bureau of Reclamation (*Humberto Negrete, Operations Branch, Board Staff*)

Consider approval of Permit No. 19318; to construct a new pump station platform with a cylindrical fish screen, to place approximately 700 feet of new 54-inch diameter high-density polyethylene (HDPE) pipeline, a new concrete distribution box, and an access road to improve the water conveyance within the Sutter National Wildlife Refuge. The project is located along the left (east) bank levee of the Sutter Bypass, approximately 0.1-mile northwest of McClatchy Road, in Sutter County.

B. Permit No. 19387, City of West Sacramento (*Nate Kibret, Operations Branch, Board Staff*)

Consider approval of Permit No. 19387 to construct a Class 1 pedestrian/bike trail along the crown of the Sacramento River Levee for a length of approximately 2,650 feet; and to extend, by approximately 500 feet, the existing River Walk Trail that is adjacent to the Sacramento River channel. The proposed project is located on Levee Road, north of the I Street Bridge, on the right (west) bank levee of the Sacramento River. (Yolo County)

C. Permit No. 19079, Three Rivers Levee Improvement Authority (*Deb Biswas, Operations Branch, Board Staff*)

Consider approval of Permit No. 19079 to create the Feather River Setback Conservation Bank Project (Project) that will contain approximately 100 acres of elderberry shrubland, 96 acres of riparian scrubland, and 306 acres of mixed riparian forest, for a total of 502 acres, within the Feather River Levee Setback Area. The proposed project is located south of Ella Avenue and north of Anderson Avenue near the town of Olivehurst. (Yuba County)

6. PUBLIC COMMENT (non-agenda items only)

7. U.S ARMY CORPS OF ENGINEERS – BOARD JOINT ITEMS (Informational)

- A. Overview of the Initiation Request Process for Flood System Alteration Projects subject to California Code of Regulation, Title 23, Division 1 and 33 USC 408 Major Modification (*Connie Perkins, Plan Implementation and Compliance Branch, Board Staff and Kevin Lee, USACE*)

The presentation will highlight key elements of the Board and USACE processes focusing on the 408 initiation request (No Objection Letter) in order for the USACE to formerly start project review.

8. DEPARTMENT OF WATER RESOURCES ITEM (Informational)

- A. Monthly Report of the Department of Water Resources (*Jeremy Arrich, Chief, Division of Flood Management, Department of Water Resources*)

Department of Water Resources project updates and recent events

- B. 2022 Central Valley Flood Protection Plan Update (*Mary Jimenez, Acting Chief, Systemwide Multi-Benefit Initiatives Branch, Department of Water Resources*)

DWR staff will provide an update on early effort and engagement on a vision for updating the CVFPP Conservation Strategy as an integral part of the 2022 CVFPP Update, including stakeholder input provided to date. The DWR CVFPP Planning team has begun engagement on the Conservation Strategy Update and is in process of considering input from stakeholders.

9. BOARD ITEMS (Action Item)

- A. Department of Water Resources, Delta Conveyance Project (*Ali Porbaha, Plan Implementation and Compliance Branch, Board Staff; and Carrie Buckman, Delta Conveyance Project, Department of Water Resources*)

Consider approval of a letter to the U.S. Army Corps of Engineers (USACE) pursuant to federal Title 33, USC Section 408 requesting that USACE initiate, in cooperation with the Department of Water Resources (DWR) and other federal agencies, a joint review of Delta Conveyance Project. The project is located on the Sacramento River in Sacramento, Contra Costa, San Joaquin, and Alameda Counties.

- B. Department of Water Resources, Yolo Bypass Salmonid Habitat Restoration and Fish Passage (Big Notch) Project (*Ali Porbaha, Plan Implementation and Compliance Branch, Board Staff; and Maninder Bahia, Division of Environmental Services, Department of Water Resources*)

Consider approval of a letter to the U.S. Army Corps of Engineers (USACE) pursuant to federal Title 33, USC Section 408 requesting that USACE initiate, in cooperation with the Department of Water Resources (DWR) and other federal agencies, a joint review of Yolo Bypass Salmonid Habitat Restoration and Fish Passage (Big Notch) Project. The project is located on the Sacramento River in Yolo County.

10. EXECUTIVE OFFICER'S REPORT (Documents Submitted for Board Member review)

- A. Update on the Board's Administration
- B. Update on the activities of the Operations Branch
- C. Update on the activities of the Plan Implementation and Compliance Branch
- D. Update on the activities of the Environmental Services and Land Management Branch

11. BOARD COMMENTS AND COMMITTEE UPDATES

12. UPCOMING MEETINGS AND TOPICS FOR THE BOARD

- Board Workshop, June 12, 2020 (TBD)
- Executive Committee Meeting, June 25, 2020 (TBD)
- Board Meeting, June 26, 2020 (TBD)

13. CLOSED SESSION

- A. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Friends of Putah Creek v. Central Valley Flood Protection Board, Solano County Superior Court Case No. FCS051040. (*Kanwarjit (Jit) Dua, Board Counsel*)
- B. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Security National Insurance Co. vs. Central Valley Flood Protection Board, et al., STK-CV-UED 2019-12115 (*Kanwarjit (Jit) Dua, Board Counsel*)
- C. Pursuant to the authority of Government Code section 11126 (e)(i). To discuss litigation: Liam Meyer v. Central Valley Flood Protection Board, et al., Sacramento County Superior Court Case No. 34-2020-00276397 (*Kanwarjit (Jit) Dua, Board Counsel*)
- D. Pursuant to the authority of Government Code section 11126, subdivisions (e)(1), (e)(2)(B)(i), and (e)(2)(C)(i), the Board will meet in Closed Session to consider potential litigation involving the Board (*Kanwarjit (Jit) Dua, Board Counsel*)

14. CLOSED SESSION REPORT (Action Item)

15. ADJOURNMENT